(XLIVth YEAR.) THE (No. 2217.)

MARYLAND GAZETTE.

THURSDAY, JULY 9, 1789.

Proceedings of Congress.

HOUSE OF REPRESENTATIVES OF THE UNITED STATES.

WEDNESDAY, *June* 17.

THE queſtion, whether offices ſhould be held during the pleaſure of the preſident, ſtill under conſideration.

Mr. Hartly advocated the principle. He made ſome introductory obſervations on the neceſſity and importance of the office under conſideration, and its intimate connexion with the executive department; and maintained, that in whatever hands this department was placed, the office ought to be immediately dependent on, and controlable by it. This was the policy of the conſtitution, and was the practice, he believed, of all nations with whom he was acquainted. It could not be conſidered an office held during good behaviour. The conſtitution had particularly pointed out thoſe who held their places by this tenure; they were the judges alone. He conceived that the gentleman from South-Carolina deviated widely from juſt conſtruction, in ſuppoſing that the clauſe reſpecting impeachments extended to every office in the government. This principle will be inconvenient, miſchievous, and deſtructive to all deciſion in the adminiſtration. The ſame gentleman had, he ſaid, contended, that every man had a property in his office.—This idea he hoped would never find advocates in this houſe.

In Great-Britain it had prevailed to a pernicious degree. It was the practice there to give a man a penſion who was removed from office, in conſideration of the intereſt which he was deprived of. He hoped we ſhould never admit this corrupt and ruinous practice among us.

The gentleman, he obſerved, had queſtioned the right of the legiſlature to make a conſtruction on the conſtitution, or in caſe it was ſilent, to ſupply the defect.—He could not agree to this. The inſtrument had expreſsly given it the power to make all laws neceſſary to carry the conſtitution into effect.—If it was ſilent therefore, in any point neceſſary to be ſettled, in order to put it in operation, the inference was clear, that congreſs had a right to ſupply the defect.

He concluded with ſome obſervations to prove, that the power would be more ſafely lodged with the preſident than the ſenate, and that the conferring the power of removal to the ſenate would deprive the preſident of ſome of the moſt important executive functions, which few as they were, ought not to ſuffer the leaſt diminution.

Mr. Lawrence obſerved, that it had been objected againſt the clauſe, that the powers which it veſted were unconſtitutional, and not only ſo but unneceſſary, as the conſtitution muſt contain in itſelf ſomewhere the power under conſideration, which it had given to ſome men or body of men. And therefore that it was unneceſſary for a law to interfere, which could neither enlarge, diminiſh or modify, this power. If it was unconſtitutional to give it to the preſident, it would only be becauſe it had been veſted in ſome other body; if had not been contended, that the conſtitution had expreſsly veſted it in the ſenate; and otherwiſe it could not be ſaid with certainty that it would be unconſtitutional for the legiſlature to declare that the preſident ſhould have it; but the objection had been collected from the nature of that body who had a voice in appointments, and from the clauſe in the conſtitution reſpecting impeachments. The conſtitution, he obſerved, declared, that the judges ſhould hold their offices during good behaviour: If this clauſe was to have any effect, it certainly muſt imply that there were other officers who held their places during pleaſure, or for a limited time; for if all officers held their places during good behaviour, and were removable only by impeachment, then the clauſe was uſeleſs. The perſon muſt have miſbehaved before he could be impeached. But if he were infirm or incapable he could not be impeached, but muſt on this principle be perpetuated in office.

But it had been urged, that we were to ſeek for the power of removal in the nature of the authority which appointed. Here he would be willing to meet the gentleman, if it were neceſſary to reſt the cauſe on this point alone. He would aſk who, by the conſtitution, had the power of appointing. It was true, it had given the ſenate an adviſory power, but it had conſidered the appointment to be by the preſident. It had expreſsly declared, that *he* ſhould nominate and appoint, though *their* advice was rendered neceſſary. This was given in the ſtrongeſt language. The appointment was in the preſident, and in him ſhould be alſo the removal; but it had been objected that it would be an extenſion of the executive power. This was not true; or if there was any weight in the argument, it would apply againſt the reaſoning of gentlemen in favour of veſting the power with the preſident and ſenate conjointly. If it could be ſaid, that the preſident's functions and powers ought not to be extended, it could alſo be ſaid, that thoſe of the ſenate could not.

The conſtitution, he ſaid, was ſilent on this ſubject, it was alſo ſilent reſpecting the removal of thoſe whoſe appointment it had enabled the legiſlature to veſt in the preſident, in the heads of departments or in the courts of law—but nothing about their removal. Now the legiſlature having, in purſuance of this authority, veſted the power of appointing in the preſident, could the conſtitution be carried into effect if the legiſlature had no right to determine in whom the power of diſmiſſing ſhould reſide? What was the conſequence? Why, in thoſe caſes, the power of removal muſt be in the preſident, and the congreſs muſt, from the neceſſity of the thing, have the right to determine this. Of courſe, in caſes where the conſtitution had originally given the power of appointment to the preſident, he muſt, for the ſake of conſiſtency, have the power of removal.—Certainly no perſon would pretend, that if the legiſlature ſhould give the preſident the ſole power to appoint in certain caſes, and there was no ſpecial limitation of the office, that he ſhould not, in thoſe caſes, have the ſole power to remove. Thus, then, he ſaid, ſtood the buſineſs. There was no expreſs words prohibiting the power; and all the ideas collected from inference pointed out the legality and propriety of inveſting the preſident with the power; at leaſt they proved that he had every conſtitutional right to it, which the ſenate, together with the preſident, could claim.

This had, he ſaid, been called a caſe omitted: but in omitted caſes, in which a certain proviſion was abſolutely eſſential to the adminiſtration, who was to make this proviſion and ſupply the defect? Undoubtedly the legiſlature. It was the only authority in any meaſure competent to it.

Mr. Lawrence aſked, if any gentleman ſuppoſed, that the power of expounding the conſtitution and of providing for the removal from office could be more ſecurely truſted to the wiſdom and integrity of one branch of the legiſlature than the whole; or if it would be more ſatisfactory to the people to have the power of diſplacing officers in the ſenate than in the preſident? He ſaid the people looked up to the legiſlature as their great ſecurity and the centre of political wiſdom. They naturally ſuppoſed, that where any proviſions were neceſſary to be made conſtructive and declarative of the conſtitution, that from this ſource and this alone they ought to ſpring.—From all theſe circumſtances he concluded, that the congreſs had the right, and that it was their duty to ſupply the deficiency in the conſtitution. The ſame conſtitution, which had given them the power of eſtabliſhing offices, had given them a right of making all the particular proviſions, whenever the conſtitution was ſilent, which were neceſſary to carry that general power into effect.

In the contemplation of the conſtitution, he obſerved the heads of the executive departments were mere ſervants and aids of the preſident. He had the ſuperintendance, the control and the inſpection, into their conduct. They were not only to perform the regular duties of their function, but to aſſiſt the preſident with their occaſional counſel, and to anſwer all queſtions which he ſhould put to them reſpecting the execution of their offices. Theſe circumſtances would give him ſuch advantages of diſcovering the ſecret delinquencies, the faults, the deficiency of abilities or knowledge of thoſe whom he employed, that he alone could be competent to an able exerciſe of this authority. Under ſuch circumſtances, would gentlemen deprive him of the power of purſuing the intereſts of the United States?

But it had been urged, ſaid Mr. Lawrence, that the truſt was ſubject to abuſes; that there might be wanton changes of officers, and revolutions in all the departments, on the occaſion of every new preſident.—He contended, that changes were proper, when he, who was the only judge of their neceſſity, thought them expedient. A new preſident ought to have the power on his acceſſion, to bring forward thoſe men, in whom he was ſure he could place the higheſt confidence.—Under the guards and checks under which the chief magiſtrate acted, it was to be preſumed that changes would not take place from capricious motives, but from principles of policy and propriety.

He ſaid he did not make his calculations from the ſafety of the adminiſtration upon the merit of the preſent chief magiſtrate, whoſe talents and virtues were the admiration of the world, but he had the beſt grounds to preſume, that no man would ever be elected to that exalted office, who had not given abundant proofs of his abilities, integrity and other great qualities, requiſite for ſuch a ſtation.

He begged gentlemen to conſider that the preſident was liable to impeachment, for having diſplaced a good man who enjoyed the confidence of the people.

But it was not proper, he ſaid, to view the ſubject on one ſide alone—the difficulties on one ſide, as well as thoſe on another, ought to be contemplated. He here mentioned the neceſſity, on the gentleman's plan, of the ſenate being perpetually aſſembled, or of the preſident's convening them from the purpoſe of a removal; from the extremes of the continent. He inſtanced the caſe of a foreign miniſter negotiating and intriguing to the injury of his country, who, before a ſentence of recal could be procured from the ſenate, might have completed his machinations, and involved the republic in ruin.

Mr. Jackſon conceived this to be altogether a conſtitutional queſtion. He was convinced of the neceſſity of energy in the executive, but he was ſure the liberties of the people deſerved equal attention and care.—Of two evils it was proper to chooſe the leaſt. It had been mentioned, that in all governments the executive neceſſarily had the power of diſmiſſing officers under him. That might hold good in Europe, but it did not apply to our conſtitution, by which the preſident had not the executive powers excluſively. The ſenate was aſſociated with him, and inveſting them with any particular authority could not impair the energy of the executive. If this arrangement was wrong, the fault was only in the conſtitution, and it could be remedied only by amendment. He dreaded the dingers to which this power would expoſe us. It would eſtabliſh a fatal ſyſtem of influence in the government. We ſhould have a treaſury bench, and a crowd of the preſident's creatures in the houſe. His miniſters would intrude here, and lead and govern the meaſures of legiſlation.

The gentlemen, he ſaid, had contended, that there might be caſes where the officer was unfit for his ſtation, by reaſon of infirmity, incapacity, and other qualities not puniſhable—He might ſink into dotage, or be ſeized with a fit of lunacy. It was proper, therefore, that ſome ſilent remedy ſhould be applied. It was true this might happen, and ſo it might happen to others, whom there was no mode of removing. Suppoſe the preſident ſhould be taken with a fit of lunacy, would he not continue in office during his four years? Suppoſe the ſenate ſhould be ſeized, or the repreſentatives themſelves become lunatics, would not the people be obliged to ſubmit to this mad congreſs? We had already, he ſaid, ſeen a king of Great-Britain a lunatic, and the ſame might be the caſe with our preſident; and although it was improbable that a majority of this houſe ſhould be lunatics, it was by no means impoſſible. It was alſo urged, that the judges alone were to hold their offices during good behaviour. It was admitted that they ought. But was not a judge, as well as other executive officers, liable to the act of God, which might deprive him of his faculties and his legal knowledge? Yet he muſt continue in office till impeached and convicted of ſome crime.

Was it politic, he aſked, to place the officers in ſuch a ſituation as to deprive them of all their independency and firmneſs? Had not the preſident the command of the army, and would he not have the treaſury under his thumb? The ſecretary of the finances would never dare oppoſe him, and would leave him unchecked to exerciſe his powers. Then, he ſaid, we might bid adieu to liberty, and all the bleſſings of genuine republicaniſm. He begged gentlemen to conſider the deadly influence of the crown in England, where offices were held during the pleaſure of the king. Let gentlemen turn their eyes to Sweden, and behold the monarch ſhutting the doors upon his ſenate, and compelling them to ſubmit to his deſpotic ordinances. He affirmed, that the error in gentlemen lay in calculating upon the merit of the preſent chief magiſtrate, as if he was to continue for ever. With him he was confident every power might be lodged. But he was not immortal; the period muſt come when he ſhould be taken from us. Could we be ſure who would ſucceed him? Might not a man come into the office who carried a Pandora's box in his breaſt.

The buſineſs of conſtruction, he obſerved, was a dangerous buſineſs. One of the favourite amendments propoſed to the conſtitution was, a proviſion that all power which was not expreſsly given to the congreſs, was retained. Under this idea the conſtitution was adopted; and was it proper now to conſtrue the conſtitution ſo, as to give extraordinary powers not before veſted? The legiſlature had nothing but the letter of that compact to go by, and the moment a deviation was made from this, the houſe was making an arbitrary ſtride towards an arbitrary government.

Mr. Jackſon was willing to conſent that in caſe of a receſs of the ſenate, the preſident might have power to make a temporary ſuſpenſion. If any officer was guilty of any miſdemeanor, he truſted that there would be always virtue enough in the houſe of repreſentatives to impeach him.

Mr. Clymer remarked, that were he to give his vote merely as it reſpected the conſtitution, he ſhould be indifferent whether the words were ſtruck out or not; for he was clear that the executive had the power of removal as incident to his department—With reſpect to appointments, the ſenate was only a check on the preſident, to prevent his filling offices with unworthy men. In the caſe of removal there is not ſuch a neceſſity for this check; for ſuppoſe a worthy man ſhould

be dismissed, what great danger or inconvenience would follow from it? Must he not consult the senate in filling the vacancy? and would he have a better chance of procuring their consent to advance an improper character, than in the first appointment? The presumption therefore, only was, that one good man would be changed for another.

If the power was not given to the executive, he would want the best power of doing good. He would be an inefficient officer; would only act by the agency of others, and would be destitute of responsibility.

It would be entirely frivolous, he said, to call the people together every four years to choose a president, if when chosen he should be a mere cypher in the government, to nominate for the senate to appoint; and to propose, in order for the senate to remove. It would be as proper to give the whole executive authority to the senate at once. If this power was denied the president, he declared that the government would be as destitute of energy as any in the universe.

Mr. Page was in favour of the motion. He contended, that the clause would establish a dangerous power in the hands of the president, and was in direct opposition to that clause in the constitution which provides for the impeachment of officers.—He asserted, that the clause contained in it the seeds of royal prerogative.—It appeared to him that every thing which had been said in the house respecting energy in the executive, might be carried to the destruction of a free government. This very energy so much talked of, had led many patriots to the bastile, to the block, and to the halter. If the president might take a man from the head of a department without assigning a reason, he might as well be vested with a power, on certain occasions, of taking away his existence. The idea was not consonant to the principles of a free government, where no man ought to be condemned unheard, nor till after a fair and solemn trial. He would rather suffer for a time the mischiefs arising from the administration of a bad officer, than to see a dangerous prerogative vested in the chief magistrate, which might lead to despotism. He knew that gentlemen supported the principle from honest motives: he knew they were friends to the government, but he thought they were in an unhappy error.

Mr. Sherman was opposed to the clause—He conceived that the paragraph in the constitution respecting appointments, was provided for some useful purpose; but it appeared to him that on the construction of the gentlemen, it would be defeated. He thought that the concurrence of the senate was as necessary to the very nature of an appointment, as the nomination of the president. They were mutual checks and had each a negative. He considered it as an established principle, that the appointing power should have the right to remove, except where there was an express restriction, as in the case of the judges, who held their places during good behaviour. Were it not for that restriction, the president and senate might displace them. It was, he said, a general principle in law as well as reason, that the same authority was necessary to repeal as to establish. It was so in legislation. The several branches whose concurrence was requisite to pass an act, must also concur to repeal it. He supposed that if a law was passed, giving the president the exclusive appointment of certain inferior officers, he would also have the power of removing them. But this was not an inferior officer. He was the head of a great department, and his appointment was constitutionally vested in the president and senate. If gentlemen would suppose that this was a subordinate officer, who was to be in aid of the president, there a question might arise, whether his appointment could not, by law, be vested in the executive; for being an executive officer, and the president being the great executive, the president might be supposed to be properly the head of that department. This reasoning, however, was not to be admitted--He was an officer within the meaning of the constitution, who might have authority given him to make subordinate appointments, and therefore it was necessary that the senate should have a voice in his appointment. As the office was a mere creature of the legislature, it might be limited in its power and duration: the officer might be annually elected, and displaced for certain crimes, as neglect of duty, &c.

Mr. Stone (Maryland) considered it the duty of the house to determine on the question. He was opposed to the leaving it for the decision of a court of law or any other power than the legislature.

When the question was brought forward, his mind, he said, was in doubt. He had reflected upon it, and had formed an opinion which was entirely satisfactory to himself. He thought that every officer should be removable by the power that appointed him. It was in the very nature of things. The power of appointment arose from a power over the subject on which the officer was to act; it was founded on an interest which the principal possessed in the transactions of his agent. Therefore in general, appointing officers appeared to be nothing more than authorising agents for the dispatch of business. This was, in his opinion, an established principle, and it would operate from a minister of state down to a tide-waiter. The constitution, it had been admitted, recognised this principle, and it could not be denied but that, when general appointments were made, they were during will and pleasure; that where appointments were made during good behaviour, they were exceptions from the general rule, in which the exercise of the creating power was limited.

He would examine whence originated the power of congress respecting these offices. He presumed that if it was vested in congress, by clear deduction from that instrument, to erect departments that no gentleman would consent to diminish it, or restrict them in the exercise of it. The congress had power to levy and collect taxes. This would include to establish an office of treasury—to regulate commerce with foreign nations, and with Indian tribes. This comprehended a power of erecting a board of trade, &c. and in order to carry these powers into execution, they were to make all laws necessary to carry the constitution into effect. Now it appeared to him that the establishment of this department was clearly within the constitution; and that, as congress, in their legislative capacity, had an interest in, and power over the whole affairs of the department, they might appoint and displace its officers. But again, the constitution had limited the legislature with respect to appointments, and given them to the president and senate.—The question then was, whether the senate, having a share in appointing, did not possess the power of removal, as incidental to it.

[To be continued]

LONDON, *April* 18.

Extract of a letter from Hanover, March 24.

"WE have received orders to keep all our troops in readiness for marching to the assistance of Sweden. The English on their side are to send a fleet into the Baltic, whilst Prussia marches into Holstein.

"The Danes have sent eight regiments on the side of Alton."

Extract of a letter from Ramsgate, April 8.

"Came into this harbour, the Polly, captain Marshall, from Ostend, for Maryland, with the loss of her main and mizen masts, and leaky; having been on shore on the Goodwin Sands, and obliged to throw most of her water overboard to get the ship off."

Many people, struck by the incidents of former ages, think the present times dull and spiritless. But will the American war, the king's illness, the projected regency, and his majesty's recovery, form *no striking events* in future history?

Lord Cornwallis, in his last dispatches, states truths equally cheering in India: that the company's debt was diminished, and diminishing: that the revenues were augmented, and augmenting, no less than 200,000l. a year; with probable expectation of more! that the trade, both for imports and exports, for the commodities of tea and silk, &c. on one side, and our manufactured goods on the other, was in the best state of gain; that we were buying cheap, and selling dear!

April 22. By the mail which arrived yesterday morning, we have received advice, that the reports relative to a treaty of sextuple alliance, are confirmed.

The respective ambassadors of France, Vienna, St. Petersburgh, Spain, Copenhagen, and Naples, who are appointed to negotiate this treaty, have received their final instructions, and are on the conclusion of this grand affair.

Our readers will readily perceive that this measure forbodes further war, which is strengthened in appearances by the preparations making in every quarter of Europe.

The Turks are likewise firmly resolved to proceed, and have absolutely refused all propositions of peace—their preparations are immense—all their forces both by land and sea are in motion.

The emperor is entirely recovered and preparing for the field, his camp equipage has been all dispatched from Vienna.

April 27. By the last advices from Constantinople, dated the 8th of March, the Turks are making great preparations for war; they have purchased the following ships sent from England for sale:

The Count de Nord (a fine frigate, formerly called the Giseau, and taken from the French last war) the Sybille, and the Camela.

April 28. From the best authority, we hear that the resolution of dissolving parliament, is given up for the present.

A message is to be sent from his majesty in a few days, signifying his intention of visiting his German dominions, and desiring the lords and commons to provide for the safety of the kingdom in that event.

Her majesty had signified her determination to accompany the king.

Their majesties intend to pay a visit to the king of Prussia, at Berlin.

There seems to remain no doubt of the quadruple alliance between France, Spain, the emperor, and Russia, so long in agitation, being now actually formed.

This report, which daily gains ground, together with the certain expectation of disturbances being renewed on the continent, in which we may be eventually involved, is the cause of the present flatness of stocks, and it is likely they will continue in this state for some time.

By the present revolution in France, the people will enjoy liberty fully equal to the people of Great-Britain, and in some repects a more equal representation.

KINGSTON, *(Jamaica) June* 6.

We learn that the French government has declared the ports of Jacmel, Jeremie, and Aux-Cayes, in Hispaniola, free ports, from and after the first day of August next, for vessels of all nations whatever to import gold and silver, slaves, all kinds of salt provisions, timber, dying woods, mules, horses, &c. which they may dispose of in the utmost security; and in return they are allowed to export any article the produce of that island; such as indigo, cacao, sugar, taffia, coffee, cotton, &c. This ordinace is to continue in full force for the space of five years.

Extract of a letter from Aux-Cayes, dated 26th May, 1789.

"We have the honour to inform you that this port has been made free for the importation, by vessels of all nations, of negroes, salt provisions, flour, and every others species of merchandise hitherto prohibited—and the exportation of the produce of the colony, cotton, coffee, indigo, &c. under no other restriction than paying the same duties as the subjects of France—this privilege commences the first day of August next, and is to continue for the term of five years—We congratulate you upon this appearance of union by commercial ties, &c."

Our neighbours in Hispaniola have very sanguine hopes, from the improved state of their distilleries, of rivalling the British islands in the manufacturing of rum: They have several able English distillers, who closely follow the method practised in our plantations: Should they persevere, though it may be a long time ere they attain the perfection we have arrived at in that article, they will be dangerous rivals in the American and other foreign markets.

The number of American families that have emigrated to New-Orleans, is said to be very considerable: they are treated by the Spaniards with great hospitality, and have met with every possible encouragement.

WORCESTER, *June* 18.

The accounts lately published and circulating respecting the scarcity of grain, appear to be greatly exaggerated. That there was not a sufficient supply in the British settlements is without doubt true; and in consequence large quantities have been sold to the British subjects in America by the inhabitants of these states. A great handle we are assured has been made of this, by speculators, and avaricious holders of grain, to enhance the price, but as the crops now look promising, the probability is, that in a short time grain will be much more plenty and cheaper than at present, and these canker worms to society be disappointed in acquiring unjust gain.

PITTSBURGH, *June* 20.

A letter from Fort-Harmer, wrote the beginning of this month, to a gentleman in this place, mentions, that undoubted intelligence had been received there of one man being killed and four wounded, belonging to judge Simm's party on the Miami. From every information we have received, a disposition for war seems to prevail with the Indians who live on the Miami, and little else but a series of murders may be expected, until these pests to society and civilization are entirely extirpated.

Intelligence from Limestone, dated May 30, 1789.

Yesterday were brought into this place and buried, the bodies of two young men, named Arthur Graham and Alexander Campbell, who had gone out the evening before to fish. They were killed by the savages about two miles from this place.—One was shot through the heart, the other slightly wounded through the arm—both were tomahawked in the most shocking manner, scalped, and stripped naked.

David Graham, father of one of the young men, uneasy at the long stay of his son, went in search of him, and found him as above described. Alexander Campbell was near to him. What the feelings of the father were upon this affecting occasion, a father under like circumstances could only imagine, but cannot be described.

PHILADELPHIA, *July* 2.

From Marietta we learn, that captain *Zebulon King*, late of the Massachusetts line, was on the 30th of April last, killed near the Hockhocking, by a party of straggling Indians.

A subscription is set on foot in New-York by a Mr. *Joseph Decker*, for the purpose of constructing and filling an air balloon, of twenty-five feet diameter. The cost, it is said, will amount to upwards of an hundred guineas. Mr. *Decker* is to ascend himself with the balloon when prepared.

Extract of a letter from Charleston, dated June 20.

"Georgia is now in the greatest distress; urge congress to something soon, or the state is lost; the Indians have acted a treacherous part, and were we in a situation should be chastised, and present peace is best; but unless the general government interfere, it cannot be obtained.

"My neighbours are breaking up and leaving their crops; I fear I must follow their example; the risk is too great; I have done all an individual could, but now despair."

The scarcity of provisions in Canada, and in the back parts of New-York and Pennsylvania, mentioned in some of our late papers, is owing chiefly to accidental causes. In Canada, the royal issues of provisions to the loyalists have ceased, before the persons fed by them had began to work; and in the new counties of New-York and Pennsylvania the accession of settlers has been so great, as to be beyond the supplies in provisions of those young countries. The scarcity is therefore both local and accidental. It is expected, that it will be wholly prevented next year in the new lands of New-York and Pennsylvania, by magazines of provisions being provided in the winter, for the accommodation of new settlers, as well as by the increase of the farms which are now under cultivation, on the east branch of the Susquehannah.

RICHMOND, *June* 25.

Extract of a letter from Danville, Kentucky, dated June 2, 1789.

"Our district has enjoyed more peace this season than has been known for near 12 years, though we are far from being quite out of danger: about 5 weeks ago the Indians killed two men at the mouth of Kentucky, and last Thursday they killed a woman and negro in Jefferson county; two more persons are supposed to be killed on the waters of Green river, which is all the mischief that has been done for some time past, except in the settlement forming on the north-west side of the Ohio, where I am informed the Indians have been troublesome, and murdered several of the adventurers. They lately fired on a boat in the Ohio with a company of federal troops on board, kil-

led one of the soldiers, and wounded six others, two supposed to be mortally.

"I am surprised to see such publications in your public papers respecting this district as I find they are insidiously circulated, one would be taught to believe that we were in a state of anarchy and confusion, but it must be obvious from the various reports, some asserting we are about to join the Spaniards, others the British, and some have asserted we mean to set up an independent government, that these are calumnies and not facts; nothing but an attempt to abridge us of the common rights of mankind would force us into measures inimical to the union. I am of opinion that the act of your last assembly for erecting this district into a seperate state, will be rejected by our convention, some of the terms being thought too servile, and others too vague."

BALTIMORE, July 7.

Captain Weatherby, in the brig Paca, from this port, bound to Port-au-Prince, about the 1st of June, in the latitude of Bermuda, fell in with a ship which was lying to; supposing her to be in distress, he bore down in order to speak her; on coming within hail, she informed him she was from Virginia, bound for Cadiz. Captain Weatherby then perceived she mounted a number of guns and was manned in proportion. The captain ordered him to bring to as he intended to send his boat on board. Captain Weatherby immediately concluded she was a pirate, and made all the sail possible—the ship immediately began firing at him, and continued chasing him for six hours; one shot carried away the cross-jack slings; the brig sailing very fast escaped, and got safe into Port-au-Prince. Captain Weatherby communicated this intelligence to the governor, who, it was reported, intended dispatching a frigate in pursuit of her—She was under Spanish colours, had yellow sides, white bottom, no head, and in ballast.—This intelligence was communicated by captain Weatherby to Mr. David Plunket, who has just arrived from Port-au-Prince.

NOTICE.

By virtue of a decree of the honourable chancery court of Maryland, will be EXPOSED to PUBLIC SALE, at the late dwelling house of BENJAMIN HOWARD, deceased, on Patapsco river, in Anne-Arundel county, on the 20th day of August next, at 12 o'clock,

ALL that part of a tract or parcel of LAND called YATES's INHERITANCE, containg about 240 acres; on this tract of land are erected a convenient dwelling house, and sundry other valuable improvements; it is situated on Patapsco-river, and is well calculated for farming, or a gentleman's country seat.—There is an inexhaustable bank of iron ore, of the first quality, on this tract of land, which may be easily transported to any distance by water, and has heretofore been worked to considerable advantage. The terms of sale are, one third of the purchase money, with interest, in twelve months; one other third, with interest, in eighteen months, and the remaining third in two years. Bonds for the purchase money will be required, with two good and approved securities, and the land will be conveyed when the purchase money and interest are paid.

RICHARD RIDGELY,
WILLIAM HAMMOND, } Trustees.

Baltimore, July 7, 1789. 1

Mr. RICHMOND

INFORMS his friends, that he hath taken passage, for London, on board of the ship Goliath, now lying at Baltimore—that she is expected to sail in the course of the month of August next, and begs leave to request, that such of them as incline to consign tobacco to him, will be pleased to provide the same as soon as possible. He will wait upon his friends for their orders, and provide craft to transport their tobacco to the ship; but as his rides will be very long it may not be in his power to visit all of them, in less than five weeks.

Annapolis, July 1, 1789. 1

THERE is at the plantation of REZIN MOBBELEY, living on Elk-Ridge, in Anne-Arundel county, taken up as a stray, a sorrel GELDING, about thirteen and an half hands high, branded on the near buttock thus G. has a star in his forehead, had on a small bell without a crack in it, shod before, has a very full mane, about seven years old, trots and gallops, and that very rough. The owner may have him again on proving property and paying charges. 1 2 76

Six Dollars Reward.

RAN away on the 4th inst. from the subscriber, living near Piscataway, Prince-George's county, a negro lad named PHILL, nineteen or twenty years of age, five feet ten or eleven inches high; had on, when he went away, an old osnabrig shirt, pair of blue cloth trousers, and old felt hat; he appears, when spoken to, to be somewhat silly, walks lame in his right leg, his right thigh is something smaller than the other; he was brought from the lower end of St. Mary's county, near colonel Hebb's, about two years past. Whoever takes up and secures the said negro in any gaol, so that I get him again, shall have the above reward, and all reasonable charges, if brought home, paid by

6w 2 LANCELOT WADE.

June 22, 1789.

JUST PUBLISHED;

And to be Sold at the Printing-Office,

(Price Fifteen Pence,)

AN

Introductory Discourse

TO AN

ARGUMENT IN SUPPORT

OF THE

PAYMENTS MADE OF BRITISH DEBTS

INTO THE

TREASURY OF MARYLAND

DURING THE LATE WAR,

By JOHN FRANCIS MERCER,

ATTORNEY AT LAW.

June 30, 1789.

ATTENDANCE will be given at the next Charles and Saint-Mary's county courts, by the subscriber, for the purpose of receiving all balances due to the present, or any of the late PRINTERS of the MARYLAND GAZETTE; and he earnestly entreats those indebted to take that opportunity of paying off their respective arrears. He in a particular manner requests the subscribers in those counties to the late edition of LAWS, to be prepared by that time to comply with the terms of their subscriptions, which alone will relieve him from difficulty, and save trouble and expence to themselves.

FREDERICK GREEN.

All persons whatever, indebted as aforesaid, are also requested to assist the printers with what may be due them; this is essentially necessary to the future prosecution of their business, and to enable them to discharge their own debts. 2

American Balsamic Ointment,

INVENTED and prepared by William Logan, and sold by William Alexander, near the Dock, Annapolis, at ten shillings the phial, containing two ounces.

This ointment cures all tumors, imposthumes, ulcers wounds occasioned by fire-arms or sharp instruments, burnings and scaldings, however bad (even by lightning,) and quite obliterates the scar in every process. It cures also all poisonous stings, and bites of venomous creatures, and insects—It cures all nasty ulcers in the legs, or elsewhere, and if the bone be effected, it will scale it without any instrument, and bring up bad flesh from the bone—it taketh away suddenly all redness, pimples, and sun-burns—a green wound dressed with it will never putrify--it cures the head-ache by anointing the temples; the stomach being anointed with it, no infirmity will harbour there, neither imposthumes nor consumptions of the lungs can harbour near it, the body being anointed with it—it helps the cholic and iliac passions, the worms and piles—it is a sure remedy for rheumatic pains, by anointing the place for three or four days together, twice a day—it is a certain remedy for all kinds of gout, &c. &c. &c. This medicine is known by none but the maker.

The son of Nicholas Green, of Charles county, was, for two years, afflicted with the rheumatic pains, and in four days, by anointing with this balsam, he was able to walk abroad.

Mrs. Leeke, of Annapolis, was afflicted with a severe head-ache, and by anointing her temples with this balsam, she was relieved in a quarter of an hour.

The son of John Humphreys, of Annapolis, was afflicted with the ague and fever, and by anointing with this balsam across the navel, it quite relieved him.

Captain Mortimer, in Annapolis, had been troubled with a sore leg for six months, and by this balsam, was relieved in a few days, and is perfectly well.

Mrs. Sewell, of Talbot county, had her teeth loose, and was in such severe pain with the tooth-ache that she could have no rest, by applying this balsam, in one night her teeth were fast and her pain gone.

Richard Lockay's son, of Annapolis, was afflicted with waxen kernels, and with a large bile the size of a hen's egg, and by applying this balsam, it quite dispersed the whole.

N. B. Said Logan has also another balsam that will relieve the palsy in a short time. 2

FRIENDSHIP,

A HANDSOME full bred horse, stands this season at the subscriber's plantation, in Prince-George's county, about seven miles from Bladensburg, and the same distance from Snowden's works, and will cover mares at six dollars each; he is a good sorrel, full fifteen hands high, with length and bone in proportion, and is six years old; he was bred by William Mitchel, Esquire, of Virginia, and was got by Apollo, the property of colonel Henry Lee, out of an imported full bred mare. Apollo was got by general Spotswood's noted Apollo. FRIENDSHIP has run two matches, and won both easy. Few horses in this state are equal to him in beauty and form. He covers at half price, owing to the scarcity of cash. tf

CHARLES DUVALL.

N. B. Thirty-five shillings will be received if the money be paid by the first day of September next.

April 4, 1789. 10

FOR SALE;

A VALUABLE tract of LAND, near Queen-Anne, part of BOWDEL's CHOICE, containing about four hundred acres: it is well adapted for tobacco and grain, and as it is presumed the person inclined to purchase will depend on his own judgment, it is needless to say much in commendation of the said land. To be SOLD also, the reversion of the land and improvements on which Mrs. Margaret Murdock now lives, and in which she has a life estate. For terms apply to Mr. Benjamin Hall, near the premises, or to the reverend Clement Brooke of St. Mary's county.

6w 2 ADDISON MURDOCK.

Prince-George's county, June 25, 1789.

Twenty Dollars Reward.

RAN away from the subscriber's quarter in Loudon county, early in last month, a negro man named GEORGE, he is about 20 years of age, about 5 feet 7 or 8 inches high, his nostrils are remarkably wide, he sometimes complains of a wart on the bottom of one of his feet, which makes him a little lame; he is a likely sensible fellow: He had on a green jacket and overalls, osnabrig shirt, an old hat, shoes and stockings, and took with him a Dutch blanket, a blue broad cloth coat and breeches, a blue jacket without sleeves, and sundry other cloaths—He has been seen near this town since he ran away. Whoever will apprehend the aforesaid negro, and deliver him to the subscriber, or secure him in any gaol, so that he may be got again, shall receive the above reward, and if taken out of this state and brought home, all charges paid.

PHILIP R. FENDALL.

Alexandria, Sept. 30, 1788. 29

In pursuance of a decree of the honourable the chancellor of the state of Maryland, the subscriber will EXPOSE to PUBLIC SALE, on the premises, the following property, lying in Queen-Anne's county, and Chester-town.

A TRACT of LAND called Darland, containing seventeen hundred and fifty acres, about four miles from Chester mill; one other TRACT of LAND called Lloyd's-town, containing one thousand acres, about the same distance from the Head of Chester River. These lands are well adapted to farming, and will be laid off into small and convenient lots; also sundry LOTS in Chester-town. The terms of the sale will be one third part of the purchase money, with interest thereon, from the day of sale, to be paid in one year from the said sale; one other third part of the said purchase money, with interest thereon from the day of sale, to be paid in two years from the said sale, and the residue of the said purchase money, and interest thereon from the day of sale, to be paid in three years from the said sale, with good and approved security; and upon full payment of the said purchase money and interest, the subscriber will execute to the purchaser or purchasers thereof, good and effectual conveyances of the same in fee-simple. The sale of Darland will commence on Monday, the 20th day of July next, if fair, if not the next fair day, at Mr. James Harris's, tenant on the land; Lloyd's-town on Wednesday the 22d following, if fair, if not the next fair day, at Mr. Edward Heathers's, living on the premises; and the lots in Chester-town, on Friday the 24th of the same month. ts

JAMES HINDMAN, Trustee.

Bennett's Point, Queen-Anne's county, May 5, 1789. 9

TO BE SOLD,

On the 15th day of July next, if fair, if not the next fair day, at PUBLIC SALE,

TWO parcels or tracts of LAND, lying in Anne-Arundel county, within about six miles of Pig-Point, the one containing about twenty acres, whereon is a very good water grist mill, a good dwelling house, kitchen, and other convenient houses; the other within about a quarter of a mile of the above, containing about 95 acres, well adapted to Indian corn, tobacco, &c. with a sufficiency of fire wood, fence-rail, timber, &c. for the support of both places, whereon is a good tobacco house, 40 by 24 feet, and quarter: also will be offered for sale, the same day, some valuable STOCK, such as cattle, horses, hogs, some household furniture, plantation utensils, the crop on the ground, and many other things too tedious to mention. One half the purchase money to be paid down, for the other half indulgence will be given for twelve months, on giving bond with approved security, payable to

w3 JOHN W. BURGESS.

June 17, 1789. 8X

NOTICE is hereby given, that the subscriber intends to prefer a petition to the next general assembly, praying an act to enable her to convey certain lands contracted for by THOMAS H. HALL, late of Washington county, deceased, agreeable to the last will and testament of said deceased. w8

2 BARBARA HALL, Executrix of Thomas H. Hall.

To be LEASED,

SEVERAL LOTS of GROUND in this city, on the Church circle, and the streets called Tabernacle-street, opposite Mr. James Ringgold's, and Lawyer's-street, opposite Mr. John Callahan's. The terms may be known by applying to the subscriber.

22 JAMES STEUART.

PROPOSALS,

BY

JOHN CHURCHMAN,

FOR PUBLISHING BY SUBSCRIPTION,

Variation Chart or Map

Of all the Northern Hemisphere,

ON A PLAN ENTIRELY NEW,

COMPREHENDING all the empires, kingdoms and states, in North-America, Europe, Asia and part of Africa, together with the islands, oceans, seas, &c. thereunto belonging; by which the magnetic variation is determined for any part thereof, for any time past, present, or to come, with an explanation of the same, or the variation and latitude being truly given, the longitude is also easily determined within less than a quarter of a degree, either by sea or land, which is corrected from the observations of the celebrated captain Cooke, deceased, and others of the most able geographers and navigators during several voyages round the world.

The work being already encouraged by a very respectable number of the first characters (whose names are proposed to be published at a future day) is at present fit for engraving; and as the principles on which this system is founded, have been already approved of by some of the most learned mathematicians of the present age, both in America and Europe, the patronage of all lovers of science is hereby respectfully solicited with a hope that this performance will give universal satisfaction.

CONDITIONS.

I. This work will be engraved on copperplate ornamented, printed on good paper and painted.

II. The price to subscribers will be THREE DOLLARS for each single copy.

III. Bookfellers and others who subscribe for six copies will be entitled to the usual allowance.

IV. Notwithstanding some of his friends (towards defraying the expence) have paid one third down, yet subscribers may retain all their money until the maps are sent home, which will be immediately after the work is completed.

V. For the satisfaction of those who have advanced part of the money, security will be lodged in the hands of some indifferent persons of known fidelity for the faithful performance, if it should be by any individual thought necessary.

VI. The scale will be proportioned to the number of subscribers.

J. CHURCHMAN returns his cordial thanks to all those who so liberally furnished him during the late war with materials and other encouragement relating to his map of the peninsula between Chesapeake and Delaware bays, including the said bays, the shores adjacent, the maritime parts of West-Jersey, Pennsylvania, Maryland, Virginia, and all the Delaware state; and he flatters himself (although it was performed under many disadvantages) that this small specimen of his first publication in the line of his profession will operate in the public mind, in favour of the present undertaking.

The following is an extract from the report published in the journal of the house of representatives of the Congress of the United States of America, for 1789, page 21 22.

MONDAY, APRIL 20.

Mr. Tucker reported from the committee to whom was referred the petition of John Churchman, agreed to a report thereupon which he delivered in at the clerk's table, where the same was twice read and debated by clauses.

The first clause in the words following, to wit: "That the committee have conferred with Mr. Churchman, and find that he has made many calculations, which tend to establish his position, that there are two magnetic points which give direction to the needle; that upon this doctrine he has endeavoured to ascertain, from a given latitude, and a given variation, what must be the longitude of the place; and having applied his principles to many instances in Cooke's voyages, has found the result to correspond with considerable accuracy with the real facts, as far as they could be determined by the reckoning of the ship; that the object to which Mr. Churchman's labours are directed, is confessedly of very high importance, and his ideas on the subject appear to be ingenious: that with a view of applying them to practice, he has contrived [illegible] and a globe, whereby to shew the angles which are made by the intersection of the real and the magnetic meridians in different parts of the earth: that he is also engaged in constructing tables for determining the longitude at sea upon magnetic principles: That the committee are of opinion that such efforts deserve encouragement, and that a law should pass to secure to Mr. Churchman, for a term of years, the exclusive pecuniary emolument to be derived from the publication of these several inventions," was again read, and on the question being put thereupon, agreed to by the house.—On motion—Ordered, That a bill or bills be brought in, making a general provision for securing to authors and inventors the exclusive right of their respective writings and discoveries.

*** Subscriptions are received by the printer hereof.

CASH,

For Continental Loan Office, Depreciation, or Final Settlement Certificates, and Indents.

Such as want Depreciation or other Certificates to pay for Property purchased of the State, may be supplied at any Time, & with any particular Amount wanted, for Cash, by

tf *James Williams.*

For SALE or BARTER,

A Quantity of Land in Patents, from 250 to 1000 Acres, situate in Bottetourt and Monongahela Counties, Virginia, will be sold very low for Cash, Produce, any kind of Certificates or Indents, good Bonds, Land, or other Property in the State of Maryland. For Terms apply to

J. W.

Annapolis, May 12.

RAN away from the subscriber, a young NEGRO MAN, called DAVY, on the 13th of March, 1789; his dress is an osnabrig shirt, and cotton waistcoat and breeches; it is probable he will change his dress as he has other cloaths; he is an artful, deceiving fellow, about 5 feet 3 or 4 inches high, and stole a large sum of money two or three days before he went off: it is thought he is gone off with his overseer, ROBERT JACKSON, who is gone away with Joshua Pearce's wife. Whoever takes up and secures the said negro, shall be entitled to EIGHT DOLLARS REWARD.

tf ELIZABETH RAWLINGS.

JUST PUBLISHED,

And to be SOLD,

At the PRINTING-OFFICE,

Price One Dollar,

THE

LAWS

OF

MARYLAND,

PASSED AT

NOVEMBER SESSION,

Seventeen Hundred and Eighty-Eight.

ALSO,

THE

VOTES and PROCEEDINGS

OF

BOTH HOUSES

OF THE

GENERAL ASSEMBLY.

A VENDUE STORE,

IN the house formerly occupied by the late Mr. JOHN JOHNSON, the subscriber to sell by auction (on a low commission) takes in STORE and HOUSEHOLD GOODS of every description. As the situation of the house is in every respect calculated for the business, which, together with his utmost exertions to render every satisfaction on his part, by his punctuality, secrecy, and that dispatch which circumstances will admit of, he hopes to merit the approbation of a discerning public, of

Who am their's,

Much devoted to please,

MICHAEL SHANNON.

N. B. The days of sale will be on Wednesdays and Saturdays, and goods taken in at any time.

PUBLIC SALE,

To be SOLD [illegible] on the premises, for the use of the heirs of [illegible] deceased, late of Charles county, by virtue of a deed of trust from [illegible] JENKINS, bearing date [illegible] recorded among the records of Charles county, the property of the said Edward Jenkins, to wit:

ONE TRACT of LAND called BATCHELOR'S HOPE, containing one hundred and fifty acres; one other TRACT of LAND called THE MAZE, containing two hundred and forty-nine acres; part of one other TRACT of LAND called PYE'S BOARDSHIRT, containing one hundred and forty acres; also the LIFE ESTATE of the said EDWARD JENKINS and his wife SARAH BOWLING, in the three following TRACTS or PARCELS of LAND, to wit: one parcel called THE FOLLY, containing fifty-seven acres; one other parcel of LAND called THE COLT, containing forty-five acres, and one other parcel of LAND called OGDEN'S CONTENT, containing one hundred and four acres; also twelve valuable NEGRO SLAVES, consisting of men, women and children. For further particulars apply to

w6 JAMES MIDDLETON.

Charles county, June 4, 1789.

VALUABLE LANDS,

In Washington county, Maryland,

For SALE, on CREDIT.

On Tuesday the first day of September next will be SOLD, on the premises, at PUBLIC SALE,

THAT valuable TRACT of LAND called SALSBURY PLAINS, containing four thousand one hundred and twenty-two acres, situate in Washington county, nearly adjoining the town of Williams-Port, at the mouth of Conococheague, and within four miles of Hagar's-town. This tract of land is reputed to be as rich as any of the lands in that neighbourhood, has a sufficient proportion of wood land, and is well watered; it is advantageously situated for water works, and hath a stream from a large limestone spring running through it, sufficient to support them; it is convenient to market, the mouth of Conococheague, on Patowmack, being a good landing place, and the navigation of that river already so far improved as to admit of a water carriage to the Great Falls, within 14 miles of George-town. The lines of this tract of land are well established and ascertained, so as not to be in any manner affected by the variation of the compass. This tract of land will be divided into farms from 100 to 500 acres, and the terms of sale will be, that the purchasers shall pay one fourth of the price annually, with interest, until the whole be paid. The title is indisputable, and the land will be sold clear of all incumbrances. Bond with security to be given by the purchasers. Any person desirous of seeing the lands before the day of sale will be shewn them by Mr. PAUL HOYE, living on a part of the lands.

FRANCIS DEAKINS,
RICHARD POTTS.

Frederick county, Maryland, June 10, 1789.

At the same time and place will be offered for SALE, to the highest bidder, at four years credit,

FORTY thousand acres of LAND, in tracts, from 500 to 5000 acres, situated on Cheat river, near the western boundary line of Maryland, and convenient to the head navigation of Patowmack. The subscribers will be prepared to shew their titles.

FRANCIS DEAKINS,
WILLIAM DEAKINS.

Pursuant to the will of RICHARD BENNETT LLOYD, Esquire, deceased, the subscriber will EXPOSE to PUBLIC SALE, on the premises, on Monday the 27th of July next, if fair, if not the next fair day,

A PART of that very valuable TRACT of LAND called Worton Manor, in Kent county, delightfully situated on the Chesapeake Bay; the soil of this land can be exceeded by none, being well adapted to every species of grain, tobacco and grass; and what renders it still more valuable is the immense quantity of fine timber growing on it of every kind, a good navigation, and well situated for a variety of markets.—It will be laid off into small and convenient lots, and sold on a credit of three years, by annual instalments. Good and approved securities will be required.

JAMES MINDMAN, Trustee.

Bennett's Point, Queen-Anne's county, May 5, 1789.

NOTICE is hereby given to the officers and soldiers of the Maryland line, that a distribution of land will be made to them at Upper-Marlborough, in Prince-George's county, on the first and second of August next, agreeably to an act of assembly: and at the same time and place will be offered at PUBLIC SALE, about 1000 LOTS of LAND, of fifty acres each, for ready money or specie certificates of the state of Maryland. This land lies to the westward of Fort Cumberland. For a particular description thereof apply to captain Daniel Cresap, or Mr. John Tomlinson, who live near the same, by w3

DAVID LYNN,
DANIEL CRESAP,
BENJAMIN BROOKES,
} Commissioners.

ANNAPOLIS:

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